

REMARKS

These remarks are in response to the Office Action mailed December 9, 2004. The amendments are supported throughout the specification and claims. No new matter is believed to have been introduced.

I. REJECTION UNDER 35 U.S.C. §102

Claims 1, 3, 5-7, 9, 11, 13-15 and 17-20 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Etani et al. (hereafter, "Etani"). Applicants respectfully traverse this rejection.

Claims 1, 9 and 17 have been amended to recite the removable filter as having a rigid housing. These amendments find support at least in paragraph [0012], and help define the filter as being of a type used in modern spa or pool manufacturing.

Turning now to the rejection, Etani neither teaches nor discloses a filtration device, system, or method of filtering, comprising a removable filter that is at least partially surrounded by a strainer, where the removable filter has a rigid housing, as recited in independent claims 1, 9 and 17. Etani teaches a prefilter bag 165 that is within, and is shown attached to, a cup 160. Etani does not show or describe a disposable filter having a rigid housing.

Accordingly, claims 1, 9 and 17 are not anticipated by Etani, and should be allowable. Claims 3, 5-7, 11, 13-15 and 18-20 are at least allowable for their dependence on an allowable independent claim. Applicants respectfully request that this rejection be withdrawn.

II. REJECTION UNDER 35 U.S.C. §103(a)

Claims 2 and 10 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Etani et al. in view of Dye. Claims 8 and 16 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Etani et al. in view of Keith. Claims 4 and 12 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Etani et al. in view of Lincke. Applicants respectfully traverse these rejections.

Applicant : McClure, et al.
Serial No. : 10/677,126
Filed : September 30, 2003
Page : 7 of 7

Attorney's Docket No.: 08168-048001

As discussed above, Etani neither teaches nor discloses a disposable filter having a rigid housing, as recited now by amended claims 1, 9 and 17. Claims 2, 4, 8 are allowable for at least their dependence on allowable claim 1. Claims 10, 12 and 16 are allowable for at least their dependence on allowable claim 9.

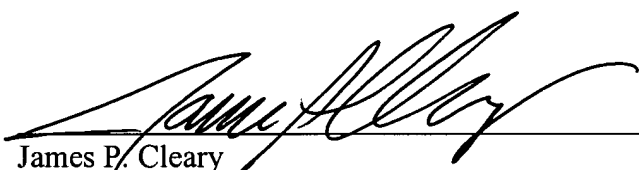
For at least the foregoing reasons, the references either alone or in combination do not render Applicants' claims obvious. Accordingly, Applicants respectfully request withdrawal of these rejections.

Enclosed is a \$225 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: _____

5/9/05


James P. Cleary
Reg. No. 45,843

Fish & Richardson P.C.
PTO Customer No. 20985
12390 El Camino Real
San Diego, California 92130
Telephone: (858) 678-5070
Facsimile: (858) 678-5099